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Attorney for Defendant

HAWAII TRANSFER COMPANY, LIMITED

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;) Civil No. CV03 00385 SOM-LEK
) (Copyright)
Plaintiff,)
) DEFENDANT HAWAII TRANSFER
vs.) COMPANY, LIMITED'S
) STATEMENT OF CONSULTATION;
HAWAIIAN EXPRESS SERVICE, INC.,) DECLARATION OF WESLEY H. H.
a California corporation; et al.) CHING; CERTIFICATE OF
) SERVICE
Defendants.)
_____)

DEFENDANT HAWAII TRANSFER COMPANY, LIMITED'S
STATEMENT OF CONSULTATION

Defendant HAWAII TRANSFER COMPANY, LIMITED ("HTC"),

by and through its attorneys Fukunaga Matayoshi Hershey and Ching, hereby

submits its Statement of Consultation regarding DEFENDANT HAWAII

TRANSFER COMPANY, LIMITED'S MOTION FOR AN AWARD OF

ATTORNEYS' FEES AND RELATED NON-TAXABLE COSTS, filed on March 30, 2006 ("HTC's Motion") as required by Local Rule 54.3(b) of the Rules of the United States District Court for the District of Hawaii.

On March 31, 2006, counsel for HTC, Wesley H. H. Ching, contacted Plaintiff's counsel, Timothy Hogan, to set up a date and time to meet and confer regarding HTC's Motion. See Declaration of Wesley H. H. Ching at ¶2. On April 5, 2006, Mr. Hogan and Mr. Ching met and conferred at Mr. Ching's law office to discuss, among other things, HTC's Motion. Id. Mr. Hogan and Mr. Ching have not yet reached a final agreement regarding the attorneys' fees and costs requested by HTC, however the parties are continuing to engage in settlement discussions. Id.

DATED: Honolulu, Hawaii, April 13, 2006.

/s/ Wesley H.H. Ching
WESLEY H. H. CHING
Attorney for Defendant
HAWAII TRANSFER COMPANY,
LIMITED